

FINAL EDITION — 48 PAGES — 5 SECTIONS

ST. JOSEPH, MICH., WEDNESDAY, OCT. 11, 1972

15c

Weather:
Clearing -
Cooler



OTTO GRAU
Reports to board

Too Many Legal Aid Appointments

Board Raps Judge Pollard

BY JERRY KRIEGER
County-Farm Editor

Members of the Berrien county board of commissioners exhibited considerable concern Tuesday over a growing number of the court appointed attorneys for indigent defendants in misdemeanor (minor violation) cases.

A report by Administration Committee Chairman Otto Grau indicated that 102 such appointments had been made in the past two months in Fifth district court, and that one judge, Judge Paul Pollard, accounted for 62 of them.

Prosecutor Ronald Taylor called the number of free lawyer appointments "a deplorable waste of taxpayers money".

"Most of these appointments are not necessary," Taylor insisted.

Taylor was critical of Judge Pollard. He cited an instance where 14 young people were brought into court on misdemeanor charges one Saturday morning. Several in-

dicated they wanted to plead guilty, Taylor said, but Judge Pollard would not take a plea from them and instead asked if they wanted court appointed counsel. "Naturally, they (defendants) took the attorneys."

The defendants did not have previous records, the prosecutor said, and were in no danger of being sent to jail as a sentence.

Taylor told the commissioners the recent U.S. Supreme court ruling that calls for free counsel for indigents in misdemeanor cases is intended to apply only where the defendant is in danger of being sent to jail.

The prosecutor estimated that the 62 lawyers assigned to misdemeanor cases by Judge Pollard in about two months will cost the county over \$9,000.

He urged the commissioners to arrange an early meeting with the district judges "before this thing gets completely out of hand." In response to a question, he noted that the board

has no control over the judges.

Commissioner Nancy Clark asked: "What's wrong with sending a protest to the bar association?"

Commissioner Warren Lake said a committee had met with the district court judges two months ago on the matter of court appointed counsel. "They promised they wouldn't do this," he said.

Grau's report showed that in addition to 62 appointments by Judge Pollard, the figures for the other three judges were: Judge John Haamond, 15; Judge John Iwaniuk, 14; Judge Harry Laity, 11.

In a somewhat related matter, the commissioners extended for another year the contract with the law firm of Globensky, Bleich, Peterson & Jesse to handle the defense for all indigents in court on felony (larger crime) charges.

(See back page, sec. 1, col. 7)



PAUL POLLARD
Judge under fire

Board Votes Bond Issue Off Ballot

Berrien's Finance Men Take Modest Bow

BY JERRY KRIEGER
County-Farm Editor

After pulling \$1.4 million out of the hat over two years to build a new county juvenile home without a vote for extra tax millage, the finance committee of the Berrien board of commissioners took a modest bow Tuesday.

While still surprised and perhaps even a little unconvinced over this financial feat, the board voted to remove a proposal for a \$1.5 million bond issue for the juvenile home from the November ballot.

There were no major compliments tossed over the accomplishment. The closest was a statement by Commissioner R.J. Burkholz that "I admire the fortitude, the guts, shown in an effort to save the county money (in interest)."

Finance Chairman Ernest

Chase, who will not return to the board next year, had to speak up to get recognition.

Chase declared the county was a million dollars in the red when the 21-member board of commissioners superseded the old 49-member board of supervisors in 1969.

"It is a point of pride with me that I have no intention of leaving the board of commissioners with a deficit on its hands," said Chase.

Commission Chairman Lad Stacey did declare that the entire finance committee was to be congratulated.

The board took the first step toward paying for the first year's installment of \$600,000 on the new juvenile home. It voted to transfer from the county general fund on or before Dec. 31, to a special juvenile home fund. Under the finance committee's plan for financing the project in two years, another \$800,000 is supposed to come out of the 1973 budget.

The juvenile home financing plan came close behind a \$300,000 surprise last month when the finance committee told the board the money was on hand in the current budget to cover a \$300,000 renovation of the surgery wing at Berrien General hospital.

Later in yesterday's meeting, Finance Chairman Chase said he was "optimistic" when Commissioner Richard Fleming of Niles started to ask for an extra \$75,000 for the parks and recreation commission next year to be used for parkland acquisition.

Fleming's request, however,

was cut short when Chairman Stacey ruled that the request should properly go to the finance committee before it

INDEX TO

Inside Pages

SECTION ONE

Editorials Page 2
Twin Cities News Page 3
Women's Section Pages 4, 5, 6, 7
Ann Landers Page 6
Obituaries Page 10

SECTION TWO

News Roundup 10 Pages

SECTION THREE

Area Highlights Page 21

SECTION FOUR

Sports Pages 31, 32, 33

Comics, TV, Radio Page 34

Markets Page 35

Weather Forecast Page 35

Classified Ads Pages 36,

37, 38, 39

SECTION FIVE

K-Mart Tab 8 pages

Pascals Furniture—Open

every Mon. & Fri. eve 119 Adv.

MRS. ALMA JESCHKE

Carries on the Work

(See back page, sec. 1, col. 7)

Still No Official Word Of Progress

Secret Paris Peace Talks Extended

WASHINGTON (AP) — Henry Kissinger's secret talks with the North Vietnamese entered their fourth day in Paris today. The surprise extension of negotiations raised diplomatic eyebrows but brought no official word of progress.

President Nixon's assistant for national-security affairs had been scheduled to return to the White House Tuesday night after an unprecedented third day of talks with communist negotiators Le Duc Tho and Xuan Thuy. Instead, Kissinger

cabled Nixon that he and the communists had agreed to a fourth day of talks and that he would be returning tonight.

The extension was announced by the White House less than two hours before Nixon's election opponent, Democratic Sen. George McGovern, outlined on national television his plan to end the Vietnam war.

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negotiating trip to the French capital in a three-year period—caused diplomatic circles to buzz with speculation that hard bargaining was under way in an effort to settle details of a cease-fire and political solution.

"I can't draw any conclusion at all or discuss the talks," Ziegler said in a variation of his earlier statement that "I'm not prepared to characterize in any way the talks that are taking place."

But Kissinger's extended stay in Paris—his 19th

election campaign. "None whatsoever," he told newsmen who asked about the timing.

Ziegler and other officials continued to refuse to give details—or even hints—of the substance of Kissinger's talks.

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President Press Secretary Ronald L. Ziegler denied that the private but highly publicized Paris negotiations were connected in any way to the

negotiating trip to the French capital in a three-year period—caused diplomatic circles to buzz with speculation that hard bargaining was under way in an effort to settle details of a cease-fire and political solution.

With Kissinger in Paris for the first time is his chief assistant, newly-promoted Gen. Alexander Haig Jr., who returned a week ago from extensive talks in Saigon with South Vietnamese President Nguyen Van Thieu.

The latest public communist proposal demands Thieu's resignation and replacement of the Thieu government by a tripartite regime made up of the Viet Cong, neutral forces and Saigon officials unconnected with Thieu.

The United States, which publicly rejected the plan, has insisted it would never agree to any settlement that would result in imposition of a communist government in South Vietnam.

Thieu conferred again Tues-

day with U.S. ambassador Ellsworth Bunker as a Saigon newspaper with links to the Thieu government reported that there has been no change in basic U.S. and South Vietnamese positions in the Paris talks.

Later, a South Vietnamese Foreign Ministry spokesman said his government was not planning any new proposals at the Paris peace talks. "We stick to our general proposal of last Jan. 27," said spokesman Pham Dang Sum in Saigon.

The command said the military targets attacked included major railroad yards and transshipment points across the Red River north of the French delegation.

In Paris, President Georges Pompidou after a Cabinet meeting called the bombing "a deplorable act." The French protest was handed to U.S. Ambassador Arthur K. Watson.

A French government spokesman said the chief of the mission in the North Vietnamese capital, Delegate-General Pierre Susini, was "very seriously injured."

While his injuries were not fatal, Susini suffered from loss of blood and shock, the spokesman added. Three other diplomats and the mission's French secretaries were unhurt, but four Vietnamese employees were missing.

THE HERALD-PRESS

Editorial Page

W. J. Banyon, Editor and Publisher
Bert Lindenfeld, Managing Editor

Michigan's 'No-Fault' Is A Pig In A Poke

When the Michigan Legislature last week adopted a revolutionary no-fault auto insurance bill, Sen. Gary Byker, Hudsonville Republican, had this answer for pessimists who asked how the system was going to work:

"We put the car on the road. We can change the tires next year."

In other words, as the Associated Press pointed out, "one point on which optimists and pessimists, backers and foes alike agreed is that how the system will work is unknown."

Partly because they didn't know, this all this area's legislators except Byker voted against the no-fault bill. Those casting "no" votes from Southwestern Michigan districts, all Republicans, were: Ray Mittan, Benton Harbor; Harry Gast Jr., St. Joseph; Bela' Kennedy, Bangor; DeForest Strang, Sturgis; and Sen. Charles O. Zollar, Benton Harbor.

The "no" contingent deserves commendation of the motoring public for keeping their poise and not being stampeded into voting for something that, like "mother," has a nice sound even if nobody knows what it's all about.

Sen. Zollar told this newspaper he doubts that many lawmakers thoroughly understand, even now, what they voted for. "I read the bill eight times," he said, "and still didn't feel qualified to explain it. Besides, there's a strong indication that some features of the bill may prove detrimental to the average motorist."

Roy A. Westran, president of the Michigan Association of Insurance Companies which lobbied for no-fault, took much the same position as Zollar. He accused the majority of the Legislature of yielding to "the self-interest of the State Bar of Michigan and Michigan Trial Lawyers Association" and of abandoning "broad injury protection with a hold-the-line price and, perhaps, even some saving."

Sturgis' Rep. Strang said he favors the "idea of no-fault prompt payment of claims" but couldn't vote for the final bill.

Russians Turn Out To Be Better 'Yankee Traders'

One point that can be made about the Russian wheat deal is that the Soviet negotiators turned out to be better Yankee traders than their American opposites. Not only did they buy the grain at a low price under heavy American subsidy, but they apparently worked out a good deal on transport costs as well.

Although U.S. negotiators thought they had struck a good bargain on transport costs involving the 16 million tons to be transported on American ships, a shift in these costs as a result of the grain deal has turned the bargain around. At this point it is the Russians who will benefit.

"It has several major defects," he said, "which can increase insurance costs more than they are now." He noted these objections:

1. Property damage to your own car is not covered, you will have to carry added insurance for this.

2. Unlimited medical and rehabilitation payments.

3. Responsible motorists will have to contribute to a special fund called the assigned claims plan to pay claims caused by non-responsible drivers.

4. Under this bill, minimum coverage will cost more — therefore, costs cannot be reduced unless the accident rate declines."

The only reason-for-being of no-fault is the hope that it will reduce insurance premiums by eliminating litigation costs, and produce faster payment to injured parties through elimination of delays. At this point, there's a strong indication that Michigan's version of no-fault is more social legislation than insurance legislation. It seems to set the groundwork for applying "progressive" fees to the motoring public—the poor and irresponsible pay relatively less, the thrifty and responsible pay more. But the bill as actually passed appears so complicated it may wind up costing everybody more, poor and rich alike.

Well, as Sen. Byker says, he nor any other member of the legislative majority knew in detail what they were voting for. The public will just have to wait until next Oct. 1, when the bill goes into effect, how things will work out.

That's some kind of legislation!

Perhaps it's a good thing the Legislature asked the Michigan Supreme Court to review the new statute for constitutionality. Maybe the high court can figure out what it all means, although that isn't the primary reason the justices are being asked for a ruling. An Illinois no-fault plan recently was ruled unconstitutional by that state's supreme court, and this is apparently what the Michigan Legislature is hoping to avoid.

Editor,

I fail to understand the relevancy or purpose of the published photographs on the front page of the October 5th Herald-Press.

First, the child shown appears to be properly clothed, clean and sleeping peacefully. Our society protects the fifteen year old juvenile, accused of a violent crime by withholding his or her name and picture.

Who do we have to protect a three year old, accused or guilty of nothing, whose only possible fault was being in the wrong place at the wrong time?

I'm wondering if the purpose of this photograph was to imply neglect on the part of the mother.

Secondly, I found the photograph of Lt. Mihalik dressing an obviously adult male to be humiliating, as it must have been for both Lt.

Mihalik and the accused.

Noting that these photographs are accredited to your staff, I feel that the selection of photographs for publication is an editorial responsibility.

I do not feel that is a source of positive publicity for the Berrien Metro Narcotics Squad.

Geri Eggleston
4394 Cleveland Ave.
Stevensville

greatly increased India's food-producing capacity through hybrid seeds and modern irrigation. Another example, less widely known, has been under way in Iran. Hawaiian specialists have been working in that country for several years developing a sugar crop.

Results reveal how successful they have been. Thousands of acres of formerly barren desert have been transformed into a sugar cane harvest which has broken world records. After irrigation projects were completed last year, the land produced 4.4 metric tons of sugar per acre in a growing season of five months.

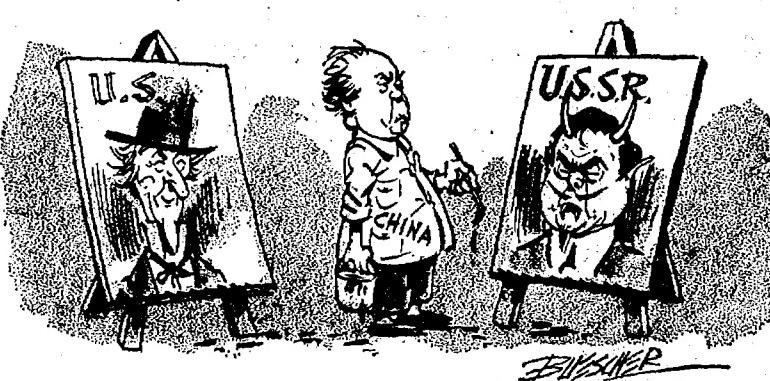
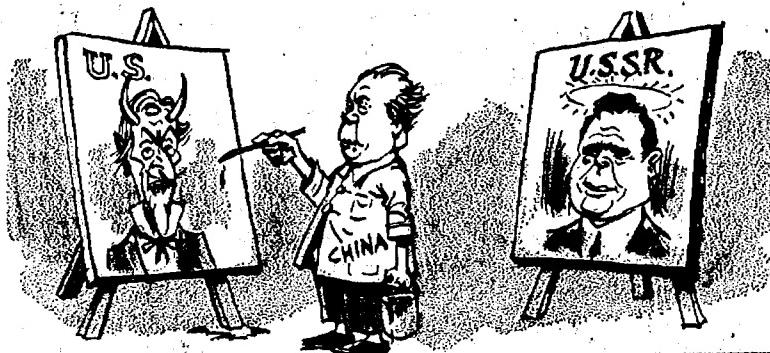
Hawaiian sugar cane matures in two to three years, a dramatic indication that Iran's formerly useless land was ideal for development of this particular crop.

Another Iranian reclamation project has been started by the Hawaiian group, this one involving 42,000 acres of desert. Its principal crop will be sugar beets.

The Iranian success did not happen overnight. The Hawaiian specialists have been working in that country since 1958.

But time and a cooperative attitude by the host country have brought an amazing transition to land which for centuries produced nothing and is now setting world records in production.

Then And Now Portraits



GLANCING BACKWARDS

STARTS TURNING FAUCETS OFF

— 1 Year Ago —

The Stevensville village council last night began closing out the village water department.

The village has kept its wells on standby while water mains were being installed to the village by the city of St. Joseph, but Mayor Arthur Kasewurm said the village was losing

money by keeping the department open when no money was coming in. The village water lines were sold to the county water authority when city water service began June 1.

The contract for purchase of the new Berrien county

courthouse site on the St. Joseph river bluff west of the county jail will not be ready for another week to 10 days, the Berrien county building authority was told yesterday.

The contract is being drafted into its final form by Prosecutor Ronald Lange, St. Joseph City Atty. Arthur G. Preston and the building authority's bonding attorney. It

is expected to be ready for submission to the county board of supervisors at the Board's Oct. 29 budget meeting.

U.S. SUCCESSES STUN JAPANESE

— 29 Years Ago —

A stream of stunning American successes in the Central and South Pacific brought clarity today to Premier Tojo's recent warning to Japan that "the war situation is gaining in ferocity day by day."

Unofficial estimates from the South Pacific headquarters of Admiral William F. Halsey Jr. placed Japanese casualties in clearing out of the Central Solomons area at approximately 5,000 men. An equal number was thought to have escaped in evacuations running over a period of several weeks. Large stocks of supplies and materiel were left behind.

MAKES PLANS

— 30 Years Ago —

Tentative plans for the year's programs were made when the Civic Music Board met with the president, Mrs. Frederick S. Upton, of Edgewater.

ARE MOVING

— 40 Years Ago —

The Reinhold Kriegers are moving into their newly completed home at 1123 Morton avenue.

FIRST BANQUET

— 59 Years Ago —

On the 17th of this month the first annual banquet and business meeting of the Berrien County Country club will be held at the Whitcomb hotel.

SALE ENDS

— 81 Years Ago —

Harry Stone closed his auction sale of jewelry Saturday night and his store looks quite empty now. He disposed of over \$1,000 worth of goods at a fair price.

BERRY'S WORLD

— 59 Years Ago —

At least that's how he explained his submission of the winning name "Patty Cake" in the contest to name the month-old daughter of Lulu.

"It just happens that we have three boys and I told my wife that if we ever have a girl, we should name her Patty, which happens to be her name," O'Connor explained Tuesday. "I thought we'd let the baby gorilla use the name in the meantime."

Mrs. O'Connor, who was celebrating her 10th wedding anniversary Tuesday, commented, "Some women get a dinner in a restaurant on their anniversaries. I got a gorilla named after me."

YES, WE KNEW ABOUT DEWAYNE

Editor,

Although most of your readers were "in the dark" concerning Dewayne Selvidge being an invalid, I'm sure you knew it. Your publishing his many letters, I

Bruce Biossat

Union Charge Off Base, Unfair

total U.S. consumption of apparel. Estimates are that the proportion will be even lower this year.

Of all U.S. apparel imports, Japan accounts for about 18 percent, while Europeans nations supply 16 percent. But the developing lands of Asia and Latin America, taken together, provide 58 percent. Where are the ILGWU subway car cards inveigling against Colombia or Venezuela or Taiwan?

This is not the end of the story. Well known is the fact that the Japanese in 1971 accepted new stiff quota limits on its textile output to the United States. In the first six months of 1972, Japan's textile shipments to us, as measured in square yards of goods, were off more than 17 percent from the same period a year ago.

In truth, Japan is steadily turning away from its former great dependence upon the labor-intensive garment trades and is moving to reliance upon high-technology industries paying higher wages. The Japanese, indeed, are themselves importing more and more textiles from such countries as Taiwan and South Korea.

If, then, the anti-Japanese blasts crudely misjudge the textile trade picture, they can also have broader, deeper effects. In the most practical sense Japan and the United States should be durable trading allies—not adversaries.

As I noted in a recent column, the West European nations are evidently bonding together more tightly than ever in an exclusionary trade bloc. It hurts both the United States and Japan, and we are natural allies in the effort to combat it.

McGovern is now aware of this leak in his headquarters, although it is not believed that he knows the guilty party.

His scheduling has been very last-minute and full of changes lately. Fending off the surrogate onslaught may be one of the reasons for that, although lack of good coordination seems also to play a role.

McGovern's answer to the President's stand-ins has been a series of speeches each morning on the Senate floor by Democratic Senators. The ideas was suggested by campaign chairman Lawrence O'Brien, who met with 20 liberal Senators three weeks ago to discuss ways they could help McGovern's faltering campaign.

The Senators agreed to a schedule by which they would keep hammering away each day at what they see as the flaws in the Nixon Administration. For instance, Sen. Birch Bayh attacked the President for failing to control drug abuse; Sen. William Proxmire denounced him for failure to set forth an adequate tax reform program.

Since the speeches are made in Washington in the midst of other, more exciting Senate developments, however, they seldom make news. This city has a way, born of long practice, of greeting partisan Congressional speeches with a big yawn, regardless of the particular merits of the legislator's case.

The Senators had hoped to demonstrate forcefully that they are not running away from their party's Presidential nominee, although most have chosen to talk about Nixon's failures rather than McGovern's assets. But their efforts have not had much impact, and the Senate probably will adjourn at the close of this week.

Meanwhile, the President's men and women are out in the countryside, helping to distract voters from the fact the candidate himself is not doing much traveling yet.



THE HERALD-PRESS

ST. JOSEPH, MICH. WEDNESDAY, OCT. 11, 1972

Twin City
News

Trustee Quits Lincoln Twp. Board Post

Berry's Resignation Due To Job Promotion

BY CURT BARTON

Staff Writer

Lincoln township Trustee Richard Berry resigned from the township board last night, saying that a recent job promotion would cause him to miss too many meetings.

Berry, who was not present at last night's meeting, said in a letter to the board that his new position as district manager for Michigan, Ohio and Indiana for Univex Looseleaf Corp., of Benton township, will require a great deal of travel. Previously, Berry had been Michigan salesman for the firm. His resignation was effective

immediately.

Berry was appointed to the township board in 1969, to fill the vacancy created when trustee Gerald Wahl was appointed treasurer, and elected to a full four-year term on the board in Nov., 1970.

Berry's resignation was accepted "with regret." Fellow board members praised his service to the board and to the Lincoln Township Planning commission, on which he served as the board's representative.

In other action, the board voted not to collect from township taxpayers next year the one per cent collection fee allowed by law on their tax bills.

Treasurer Wahl, who recommended the action, was authorized by the vote to waive the collection fee on all taxes paid by Feb. 1.

Wahl said in urging the move that the board had an obligation to township taxpayers to collect no more in taxes than was essential to operation of the township.

The collection fee, if collected, would raise about \$20,000 for the township. This is the second year the board has voted not to collect the fee.

The board voted to contribute \$500 to the operation of the Berrien Metro Narcotics squad, a joint operation by several county police agencies.

Board members praised the narcotics squad for its anti-drug activities, including a series of large, well-publicized raids last week.

John Spelman, township attorney, was directed by the board to research whether the recently established Alpine Racquet club, at the Chalets, Notre Dame road, should be considered a private club.

Township zoning laws allow private clubs but forbid commercial enterprises in areas zoned residential.

Estimated cost of the damage has not been determined, firemen said.



RICHARD BERRY
Trustee resigns

Destroyed

BERRIEN CENTER — Fire of undetermined origin yesterday afternoon destroyed a one-room cabin on the Leonard Frank farm about one and a half miles south of here.

The cabin was occupied by Mr. and Mrs. Charles Weaver. Firemen from the Eau Claire-Berrien-Pipeslonne fire department who answered the 4 p.m. fire call reported no injuries in the blaze.

Estimated cost of the damage has not been determined, firemen said.

Delinquent BH Dad Sentenced

A Benton Harbor man was sentenced to three months in jail Tuesday after being found in contempt of court for failing behind in his support payments for four children in Nashville, Tennessee, Westfield said.

In a second support case Tommy Lee Wooden, of South Bend, Ind., was placed on two years probation after being found in contempt of court by Judge William S. White for a support arrearage of \$1,312.

Judge White also ordered Wooden to negotiate a wage assignment of \$30 in weekly support payments and \$15 weekly on the arrearage for two children on ADC in Berrien county, Westfield said.

WMU OCT. 19

'Sleuth' Is Feature Of Theater Trip

The Benton Harbor regional office of Western Michigan university is offering a theater trip to campus for alumni and friends.

Forty tickets have been reserved for the Oct. 19 performance of the thriller "Sleuth," one of the feature attractions of the 1972-73 Broadway Series at the university.

Tickets for the theater trip are \$12.50 each, which includes bus transportation, smorgasbord in the President's dining room on campus and the play in the James W. Miller auditorium.

Reservations can be made at the Benton Harbor regional office, 777 Riverview drive.



HIGHEST SCOUT RANK: Three members of Troop 23, First Congregational church, St. Joseph, have achieved scouting's highest rank, the Eagle. They are, from left: Jeff Karsen, 18, St. Joseph High school senior, a Scout the past eight years and son of Mr. and Mrs. Lee Karsen, 2206 Wilson Court, St. Joseph; Jim Barton, 16,

St. Joseph High school junior, son of Mr. and Mrs. Robert Barton, 1061 Lydia, St. Joseph; and Thomas Goodgame, Jr., 17, Lakeshore High school junior and son of Mr. and Mrs. Thomas Goodgame, 4482 Winding Lane, Stevensville.

UCF Fund Drive Goes Over \$250,000 Mark

United Community Fund passes the \$250,000 mark yesterday as the UCF drive moved into its fifth campaign week.

Roy Shoemaker, UCF campaign chairman, reported that pledges now stand at \$252,222, an increase of \$70,000 over a week ago.

The totals were announced yesterday at a noon report meeting held at the St. Joseph Holiday Inn through the sponsorship of Indiana & Michigan Electric Co., Michigan Bell Telephone Co. and Michigan Gas Utilities.

Shoemaker expressed optimism over the progress of the past week but indicated that several weak spots are preventing UCF from making an even stronger showing.

"We've made a good start toward meeting the needs of our community," he said, "but there's a great need to follow up in some of the campaign areas. I ask every UCF volunteer to, please, get out and work those pledge cards now."

Shoemaker announced that the next official UCF audit will be held next Tuesday, Oct. 17, at the UCF office, 305 Lake boulevard, St. Joseph. He urged United Fund volunteers to turn in all reports between 9 a.m. and 1 p.m. that day or sooner, if possible.

There is no official UCF campaign goal, but Shoemaker and his campaign team are aiming at a "community needs" figure of \$664,800, the total amount requested by the 45 UCF services for 1973 operating funds.

This year's United Fund drive is divided between two teams, the Good Guys and the Wonder Workers. Carroll Gerbel's Good Guys yesterday reported pledges of \$146,773, and Edward Damschroder's Wonder Workers are at \$104,434. Another \$1,015 has been collected in the Benton Harbor fruit market drive, conducted by Harry Litowich.

A special word of praise was given yesterday to the em-

ployees of the St. Joseph division of Whirlpool Corp. for an outstanding increase over their UCF support in 1971.

The division employees had \$26,274 in pledges to surpass their goal of \$24,000 and pledged \$4,082 more than last year. Participation by the employees also rose from 51 per cent in 1971 to 62 per cent this year. Ted Daniels was captain of the UCF drive at the division.

Eight other winners of the Good Neighbor Award for increased giving also have

been announced. They are:

Wayne C. Hatfield & Associates, Modern Tool and Engineering, Inc., Robert O. Whitesell & Associates, Elmore Nurseries, Rutz-Smith Agency, Inc., Jaeger-Hunt Allen Agency, Inc., Fister Realty Co. and Dillingham Real Estate.

In an hilarious skit, Cousin Maude (Jeanne McGovern) comes to visit Archie Bunker (Warren Hahn) and gets him involved with several UCF agencies, including Americanization and Travelers Aid.

Archie finally sees the light, agrees to support UCF and joins with the cast in singing:

"So come on, don't hesitate; Everybody pull your weight; We can make our deadline date —

The UCF Way!"

During the entertainment portion of yesterday's meeting, the employees of Appliance Buyers Credit Corp. staged the second part of an original play, "It's All in the United fund Family." The first part was offered at a UCF meeting two weeks ago.

In September, Judge Ronald H. Lange of Berrien juvenile court waived the two youths into circuit court a second time after ruling that the original 1944 waiver law was revived when the 1969 amendment was struck down.

In yesterday's arraignment, Atty. Donald Bleich, defense attorney for both Alexander and Brooks, asked for the right to reserve objection to the two minors being under the jurisdiction of adult court.

Judge Julian Hughes granted Bleich the right to raise the objections through written motions.

In other arraignments:

Joseph Washington, 32, of Inkster, pleaded guilty to a charge of conspiracy to be a disorderly person by loitering where drugs were illegally possessed Jan. 10 in Benton Harbor. He stood mute to charges of possession and use.

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"So come on, don't hesitate; Everybody pull your weight; We can make our deadline date —

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THE HERALD-PRESS

Section
Three

ST. JOSEPH, MICH. WEDNESDAY, OCT. 11, 1972

Cass Trial May Cost \$50,000

Commission Alerted To Expense Of Trying Accused Slayer

BY ORVIN JOHNSON
Staff Writer

CASSOPOLIS — The apprehension and trial of Robert Otto Bryan, accused in the slayings of the Tim Roderick family near here last April, may cost Cass county tax-payers as much as \$50,000.

That's the estimate of Cass Commissioner Johnnie A. Rodebush, head of the county

claims committee.

Rodebush announced the estimate yesterday at the commissioners' monthly meeting after hearing a letter from Cass Circuit Judge James E. Hoff, before whom Bryan will be tried.

"I wish to alert you to the possibility of some extraordinary expenses involved in the forthcoming Bryan

trial," Judge Hoff stated in his letter. "I shall do everything possible within the meaning of the legal commands of a 'fair trial' to keep the expenses at a minimum but, in spite of this the expenses are going to be extraordinary," he continued.

A major factor in the costs, Judge Hoff indicated, is the change of venue, from Cass county to a yet-unannounced location. By law, he said, Cass will have to bear the entire cost of the trial even though the trial is held elsewhere.

Costs to the county will include transportation and lodging of the prisoner and accompanying deputies, as well as a court bailiff, county clerk, court reporter and Judge Hoff's own secretary.

Because of the distance, hotel and motel accommodations will have to be provided during the course of the trial, the judge advised.

Other costs indicated by the judge are legal fees for the court-appointed attorney, fees for psychiatrists who will examine Bryan and fees for witnesses called by both the prosecution and defense.

Judge said he has requested a panel of 120 jurors, from which he hopes between 12 and 14 will be selected to hear the case. All of these juror fees must be paid by Cass county.

In addition, because of the nature of the trial, Judge Hoff said he may sequester the jury, meaning more hotel or motel accommodations.

Rodebush added other expenses: the return of Bryan from Florida, where he was apprehended; investigations by Cass detectives in St. Louis, Mo.; the preliminary examination. To date, he estimated, the county has paid \$6,000-\$7,000.

Bryan, 35, of St. Louis, is accused of the first degree murder of Tim and Arlene Roderick and the manslaughter of their unborn baby girl in the family home on rural Pokagon road.

Judge Hoff granted a change of venue on request of Bryan's attorney because of pretrial publicity of the case. The location of the trial site will be announced later. The trial is scheduled to start Oct. 30.

TRYING FOR NATIONAL TITLE: Miss Charline Schmidt, 18, of Grand Rapids, Michigan's Apple Queen, will compete in the National Apple Queen contest in Gettysburg, Pa., this weekend during the Pennsylvania Apple Harvest Festival. A freshman at Kalamazoo college Miss Schmidt's trip is being sponsored by the Michigan Apple Committee. She will be accompanied by Mrs. Alton (Millie) Wendzel of Watervliet chairman of the Michigan Apple Queen Contest. The new "Miss Apple Queen USA" will receive a \$1,000 scholarship and will travel extensively throughout the country promoting the apple industry.

Allegan Commissioners Okay \$275,000 Bridge

ALLEGAN — Allegan county commissioners yesterday gave permission for the construction of a \$275,000 bridge over the Kalamazoo river at New Richmond, near Fennville.

The county road commission is planning a two-lane, reinforced concrete bridge to replace the single-lane bridge now there, according to Fred Neils, engineer and manager of the county road department.

Permission of the county commissioners had been sought because of a law requiring such permission in cases where navigable streams are crossed, Neils said.

The new bridge will be located .6 mile west of the old bridge, at 58th street.

Its location will require the construction of 1.4 miles of new roadway.

Negotiations for right of way on the south side of the river have been completed,

Neils said. Bids are expected to be let next spring.

Hall the estimated \$275,000 cost will be paid out of the special county bridge fund, with the remainder coming out of federal gasoline tax monies.

In other business, Francis Cronen, chairman of the county operations committee, reported continuing pressure from state authorities for the construction of a county dog kennel.

Dog warden George Wollers now keeps dogs in a barn on his farm.

Commissioners recessed until 10 a.m. Oct. 19, when they will review the tentative 1973 budget.

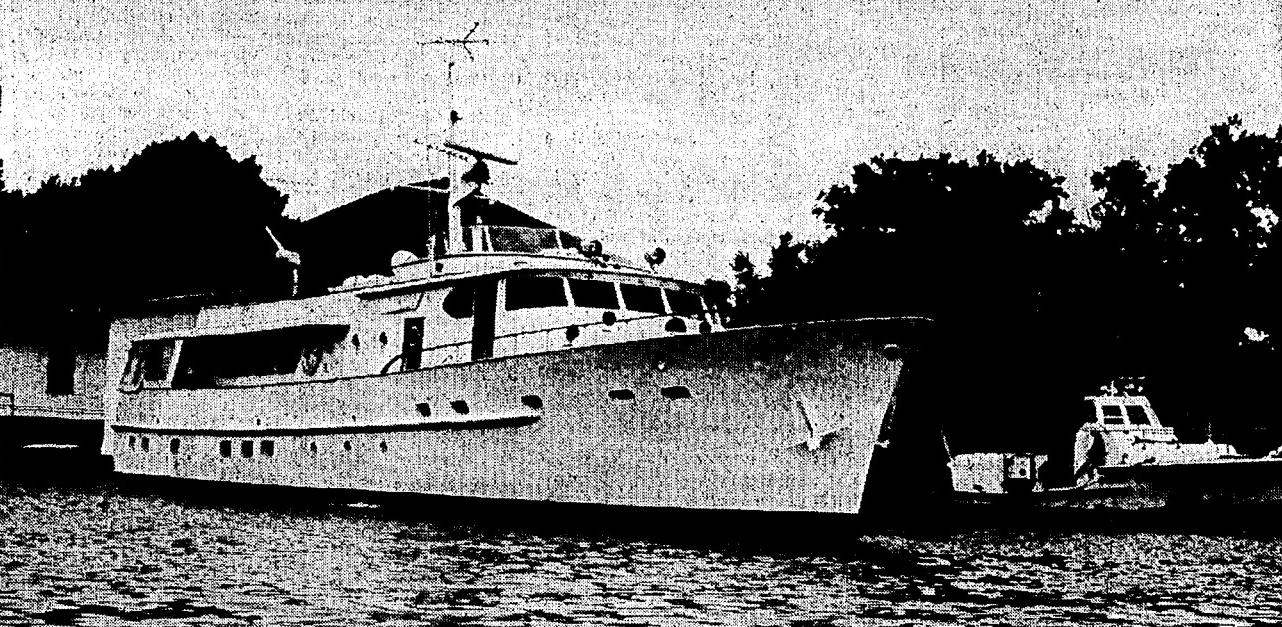
Thomas Dunn, acting chemistry department head, ordered the suspended professor, Mark M. Green, 35, to explain the educational relevance of the slide show, which was first shown last week. Dunn said Green could be guilty of usurping class time.

Green said the production portrayed "the manner in which the current air war is

being conducted" and ads "where large, science-based corporations advertised with pride how they had turned their technological strength to serve the military."

Some students have started a drive to reinstate the suspended professor while a number of professors are planning to show the slides to their classes in support of Green, who does not have tenure. About 250 students in three of Green's classes saw the slides.

A college vice president said the action against Green was the first suspension he could remember in the seven years he has held his post.



LAST STOP, ST. JOE: The Arara II, 92-foot, sea-going goodwill ambassador for Illinois Tool Works, Inc., Chicago headquartered manufacturer of fasteners and components, tools and machines, is ending its cruise season at St. Joseph this week. Guests aboard the 137-ton vessel will be officials and wives of various Twin City firms. Starting from St. Petersburg, Fla., Arara II has visited Memphis, Evansville,

Louisville, Cincinnati, St. Louis, Chicago, Detroit, Cleveland, Bay City and Milwaukee before arriving here Monday. Capt. Ray Chase heads a crew of five. The ship is equipped with the latest navigation devices and powered with twin 450 h. p. diesel engines and has a cruising range of 2,500 miles. St. Joseph Coast Guard's 44-foot lifesaving boat is in the background. (Staff Photo)

Cass Commissioners Replace Shannon

Austra Wins Road Post

BY ORVIN JOHNSON
Staff Writer

CASSOPOLIS — Robert Ausra, a farm and industrial equipment dealer, yesterday was named to replace Harry Shannon on the three-member Cass county road commission.

Ausra, 39, was selected for a six-year term by Cass commissioners in their monthly meeting by a rare secret ballot.

According to the board's weighted voting system the vote was 22.36 to 11.30.

Commissioner Robert W. Powers of Marcellus

nominated Shannon for a second term and said Shannon had kept county commissioners "better informed than at any time in the past." Powers described him as a "very sharp individual" in spite of his 72 years. Ausra, nominated yesterday by Commissioner Dean Bussler, last month was presented to the board and at that time promised commissioners he would keep them better informed of road commission activities if he were named to the board.

County commissioners earlier this year had been critical of the road commission's independence.

Ausra, a graduate of Dowagiac high school, operates an International Harvester dealership near Dowagiac and serves on the agriculture advisory committee of Southwestern Michigan college. He is married and the father of five children.

In other appointments, commissioners renamed Freeman Cross to a three-year term on the social service board, of which he is now

chairman. Named to the county planning commission were Mary Lou Corbit, Edward Lowe, Dr. Fred Mathews and Maurice Hawks. Sam Schopk was named to the elections committee, replacing Paul MacDonald.

Commissioners agreed to a lease with the village of Cassopolis on a lot adjacent to the village fire hall. The lot, to be improved by the county for parking spaces, will be rented at a \$1 a year for one year, with the option to renew for an additional year.

The lot will be graded and graveled by county road crews for \$305 to provide about 20 parking spaces, according to Commissioner Charles Bombarde, who presented the lease.

A request by Sheriff James Northrop for permission to seek bids on five squad cars prompted a discussion of loyalty to county dealers.

Commissioner Winston Churchill, among others, suggested that the sheriff abandon precedent and go

outside the county for bids. Commissioner Charles Sarabyn held that local tax payers should be favored.

Churchill countered that the 30,000 other tax-payers in the county might benefit by lower bids if more were sought.

Commissioners authorized the sheriff to seek bids, leaving the other question until the time when a bid is accepted.

Commissioner Harold Harp reported that the Mason township board has okayed a bid by the county librarian to establish a south-county branch of the library in the Mason township hall.

Referred to committee was a request from Paul Cohen of Dowagiac, a representative of the Cass county branch of Twin Cities Opportunity, Inc., that he be permitted to provide a guidance program for inmates of Cass county jail.

Commissioners recessed until 2 p.m., Friday, Oct. 27, when they will hold a public hearing and adopt a county budget for 1973.

Fire Levels Penn Central Freight Depot In Niles

NILES — Fire of undetermined origin destroyed the 60-year-old Penn Central railroad freight depot at Third and Wayne streets here late last night.

The blaze was spotted about 10 p.m. by city police officers on routine traffic patrol. The vacant building was engulfed in flames by the time city firemen arrived moments later.

After the fire was brought under control, only one corner of the 50 by 150 foot frame structure remained standing.

Firemen said the building was constructed of hand hewn timbers and had heavy plank flooring. No dollar estimate of the loss was available from firemen.

About 25 city firemen and volunteers from nearby departments fought the blaze, pressing into service two pumpers and a 75-foot ladder.

Last of the firemen returned to their stations about 5:30 a.m. today.

Firemen said the blaze was

the second at the depot in two weeks.

Last week a fire was discovered under a stairway but was put out with only minimal damage. Cause was undetermined also.

Firefighters said there was no electric service in the building.

Li. Chester Topolski, of the city fire department, received cuts and bruises to his right leg during the fire when he stepped through a hole in the floor.



JACKIE ON THE JOB: Curtis Hartfield, president of UAW Local 793, presents plaque to Mrs. Jacquelyn Zerlaut saluting her 25 years of service as office manager for the local which represents Auto Specialties workers. Mrs. Zerlaut stressed she is not retiring and doesn't know if she'll go for "30 and out" or just stay on. During her tenure with the union, she has been a member of virtually every civic and community organization possible. She is currently a Berrien county commissioner. (Staff photo)

Buchanan Moves To Halt Untreated Sewage Dumping

BUCHANAN — The first step was taken by the Buchanan city commission last night to correct the dumping of untreated sewage into McCoy creek.

The commission instructed City Manager Robert Faulhaber to prepare a special assessment district plan to finance installation of a sanitary sewer on Dewey avenue, between Red Bud Trail and the city parking lot entrance.

Action came after the commission was informed by James N. Howell, assistant basin engineer for the Michigan Department of Natural Resources, that visual inspection and chemical analysis of storm sewer flow indicated that it contained untreated sanitary sewage.

In other action, the commission accepted a proposal by Indiana & Michigan Electric company for upgrading lighting on Red Bud Trail South, between Front and Hobart streets.

The proposal calls for eight new 20,000 lumen mercury vapor lights and conversion of five 7,000 lumen lights to 20,000 lumens, at a cost of \$54.50 per month.

The commission also heard a request by C. H. Rohde to vacate an unused alley between Smith and Marble streets, west of Days avenue. Rohde recently purchased property adjacent to the alley and wants the extra space to have room to build another house.

Action on a new state building code was tabled, pending more information on the code and its effect on present city code. Faulhaber termed the new state code as contrary to the concept of home rule.

The commission designated 6:30 to 7:30 p.m. Monday, Oct. 30, for trick or treat. The fire siren will be blown to remind children when to return home.

To avoid conflict with Veterans day Oct. 23, the commission scheduled the next meeting for Tuesday, Oct. 24, at 7:30 p.m.

EXPANDS
LANSING, Mich. (AP) — Alba Telephone Co. of Alba was authorized by the Michigan Public Service Commission Tuesday to create two separate exchanges out of its present Alba Exchange and to add 10 square miles of unassigned territory to its new exchange.